

ER 5-4799

21 April 1954

MEMORANDUM FOR: Acting General Counsel

SUBJECT :

25X1A

1. This case has been in your Office before, but only for consideration of the immediate problem at that time. We now have a recommendation for write-off on the ground that security prevents reference to the General Accounting Office. I do not believe that the record is clear yet that we have exercised every effort to make collection and that further efforts would be futile. I refer particularly to the letter of the senior [redacted] of November 20, 1953 (Tab K), in which, after making various arguments, he states that "As I said in a previous letter if you could show where Ralph rightfully owed this money I would urge him to try to pay it" No answer has been made to this letter, and a quick review of earlier correspondence indicates to me that [redacted], from his point of view may have very good arguments that have not clearly been refuted.

2. I suggest you draft what should be a definitive answer to [redacted] laying out the law on travel to first duty stations and travel with intent to proceed to a foreign duty station, so that we can demonstrate we have given him a complete position on behalf of the Government. If we cannot give him a pretty good case on this, we should review our basic legal position and see if we are on sound ground. As I see it, either he was recruited for overseas duty and resigned for personal reasons, in which case he owes us transportation expenses already paid, or he was recruited for duty here and key money paid him for transportation was an erroneous payment. The only legitimate out I can see is that circumstances surrounding his resignation arose out of misassignment by the Agency and consequently can now be construed to be for other than personal reasons.

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1 Att - File on subject
A-DD/A:LRH:jeb
cc: AD/P

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LAWRENCE R. HOUSTON
Acting Deputy Director
(Administration)

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